

~~BEST TWO PAGE BRIEF (USPTO)~~

REMARKS

Claims 1-30 are now pending in the application. Claims 1, 4, 13, 18, 19 and 22 have been amended. The basis for the foregoing amendments may be found throughout the application as originally filed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claims 4 and 22 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Applicants have amended claims 4 and 22 to include “weight” to denote the percentage of the modifier as required by the Examiner. Therefore, reconsideration and withdrawal of the rejection of claims 4 and 22 are respectfully requested.

REJECTION UNDER 35 U.S.C. §§ 102 AND 103

Claims 1, 8-11, 13, 18-19 and 23-25 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Chandley et al. (U.S. Pat. No. 5,161,604, hereinafter “Chandley”). This rejection is respectfully traversed.

Claims 2-4 and 20-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chandley in view of Hornung et al. (U.S. Pat. No. 4,749,549, hereinafter “Hornung”). This rejection is respectfully traversed.

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Claims 5-7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chandley in view of either Trager et al. (U.S. Pat. No. 4,867,227, hereinafter "Trager") or Craig et al. (U.S. Pat. No. 6,793,707, hereinafter "Craig"). This rejection is respectfully traversed.

Claims 12, 17, 26 and 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chandley in view of Fisher et al. (U.S. Pat. No. 5,033,531, hereinafter "Fisher"). This rejection is respectfully traversed.

Claims 14-16 and 27-29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chandley in view of Daussan et al. (U.S. Pat. No. 6,540,005, hereinafter "Daussan"). This rejection is respectfully traversed.

At the outset, Applicants note that claims 1, 18 and 19 have been amended to include the feature of molten aluminum. Specifically, claim 1 has been amended to include the mold being "configured for aluminum castings" and "containing a metallurgical modifier selected for combination with molten aluminum." Similarly, claim 18 has been amended to include the mold being "configured for aluminum castings" and "means for adjusting the chemistry of molten aluminum after the molten aluminum is introduced into the casting mold during a casting process." Claim 19 now includes the feature of "introducing molten aluminum into the casting mold." The majority of the references cited by the Examiner are directed to cast iron. Specifically, Applicants note that Chandley appears to be directed to iron castings, as noted throughout the specification. Chandley neither discloses the use of molten aluminum nor the use of a metallurgical modifier for use with molten aluminum. As such, amended claims 1, 18

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and 19 distinguish from Chandley. Applicants therefore submit that amended claims 1, 18 and 19 are in condition for allowance.

Applicants further note that claims 2-17 and 20-30 depend from claims 1 and 19 and should be in condition for allowance for the reasons set forth above regarding claims 1 and 19. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-30.

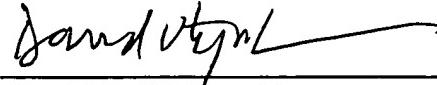
CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: September 21, 2005

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